

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION

United Resource Recovery Corporation,)	Case Number: 7:07-502-HFF
)	
Plaintiff,)	
)	
vs.)	RULE 26 DISCOVERY PLAN
)	
RamKo Venture Management, Inc. and)	
John Kohut,)	
)	
Defendants.)	
)	
RamKo Venture Management, Inc.,)	
)	
Third-Party Plaintiff,)	
)	
vs.)	
)	
Carlos Gutierrez,)	
)	
Third-Party Defendant.)	

Pursuant to Rule 26(f) and the Order of the Court filed June 18, 2007, a conference was conducted on July 5, 2007, between Michael J. Giese on behalf of the Plaintiff and Julianne Farnsworth and Lloyd Clareman representing the Defendants. During the conference, the parties discussed the timing of discovery, depositions, the Scheduling Order and related issues. The parties noted that mediation would be required prior to February 28, 2008 and have agreed that an early mediation and/or direct settlement discussions may be beneficial.

1. What changes should be made in the timing, form, or requirement for disclosures under Rule 26(a); including a statement as to when disclosures under Rule 26(a)(1) were made or will be made;

The parties have agreed to waive the disclosures required by Rule 26(a)(1).

2. The subjects on which discovery may be needed, when discovery should be completed, and whether discovery should be conducted in phases or be limited to or focused upon particular issues;

Counsel for both parties are seeking discovery on the claims alleged in both the Complaint, in the Counterclaim, and the Third Party claim asserted by the Defendants. The subjects of discovery include but are not limited to the factual bases for Defendants' claims for compensation under the various agreements between Plaintiff and Defendants and Plaintiff and third party funding sources. The parties agree to the discovery deadline in the court's scheduling order. Discovery need not be conducted in phases or limited to particular issues. Each party reserves the right to serve Requests for Admission or other discovery.

3. Any issues relating to disclosure or discovery of electronically stored information, including the form or forms in which it should be produced;

Counsel for the parties recognize that there have been a substantial number of email communications between the parties. It is the present plan of counsel to produce hard copies of emails, although they may consider producing discs containing the emails. Counsel do not presently anticipate any particular difficulties in production of emails.

4. Any issues relating to claims of privilege or of protection as trial-preparation material, including – if the parties agree on a procedure to assert such claims after production – whether to ask the court to include their agreement in an order;

None at this time.

5. What changes should be made in the limitations on discovery imposed under these rules or by local rule, and what other limitations should be imposed; and

Not applicable.

6. Any other orders that should be entered by the court under Rule 26(c) or under Rule 16(b) or (c).

Not applicable.

(SIGNATURE PAGE ATTACHED)

PLAINTIFF

s/Thomas M. Larkin

Signature of Plaintiff's Counsel

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Dated: 7/20/07

DEFENDANT(S)

s/Julianne Farnsworth

Signature of Defendant's Counsel

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s/Lloyd Clareman

Signature of Defendant's Counsel

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Dated: 7/20/07